

REMARKS

Favorable reconsideration of this application in light of the preceding amendments and the following remarks is respectfully requested. No claims having been added or canceled, the Applicant respectfully contends that claims 13-24 remain under consideration in the present application.

A Restriction Requirement outlined in the Action requires the Applicant to elect an invention for prosecution in this application from among the groups defined as:

Group I, including claims 13-19, 23 and 24 (all claims in part), drawn to compounds of the formula I and their pharmaceutical composition wherein the compound is represented by compounds I-III, of claim 19 classified in various subclasses of classes 514 and 548;

Group II, including claims 13-19, 23 and 24 (all claims in part), drawn to compounds of the Formula I and their pharmaceutical composition wherein the compound is represented by compounds IV-IX of claim 19 classified in various subclasses of classes 514 and 546;

Group III, including claims 13-19, 23 and 24 (all claims in part), drawn to compounds of the Formula I and their pharmaceutical composition wherein the compound is represented by compound X of claim 19 classified in various subclasses of classes 514 and 548;

Group IV, including claims 13-19, 23 and 24 (all claims in part), drawn to compounds of the Formula I and their pharmaceutical composition wherein the compound is represented by compounds XII-XV of claim 19 classified in various subclasses of classes 514 and 548; and

Group VI, including claims 20-22, drawn to methods of use of compounds of the Formula I or Formula II, classified in various subclasses of class 514.

Applicant's Election

In response to this Restriction Requirement, the Applicant elects Group I including claims 13-19, 23 and 24, to the extent that these claims are drawn to compounds of the formula I and the corresponding pharmaceutical compositions in which the compound may be represented by formulae illustrated in claim 19 as compounds I-III. In light of this election, the Applicant respectfully submits that claims 13-19, 23 and 24 are ready for examination and that claims 20-22 should be withdrawn from consideration.

CONCLUSION

In light of the election noted above, the Applicant respectfully contends that the claims are in now in condition for allowance and earnestly solicit a Notice to that effect.

If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to contact the undersigned.

Further, if necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge any underpayment or non-payment of any fees required under 37 C.F.R. §§ 1.16 or 1.17, or credit any overpayment of such fees, to Deposit Account No. 08-0750, including, in particular, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY & PIERCE, P.L.C.

By: *D. Brummett (41,646) fm*
Donald J. Daley
Reg. No. 34,313

P.O. Box 8910
Reston, VA 20195
(703) 668-8000

DJD/GPB